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OGC HAS REVIEWED.

20 September 1950

MEMORANDUM FOR: General Counsel

SUBJECT: Proposed Presidential Directive on Departure of
Persons from the United States

1. Basically, the goal to be achieved by the issuance of the proposed directive is very essential in the interest of national security. However, I do not believe that the suggested directive, in its present form, is practicable in application.

2. It is indeed understandable that the directive, in its present form, is drawn up solely from the security standpoint. Because of this, however, it completely misses a positive benefit that can be achieved by a system which is presently in effect between some of the departments of government and the Department of State.

3. Each department and agency of government should, in the interest of internal security, submit a guide list of sensitive names to the Department of State. Besides such a list, however, the departments and agencies of government may be interested from a positive viewpoint in knowing that certain past employees are about to travel overseas, not from a security angle, but from the viewpoint of the ability and capacity that such persons might have to obtain information and accomplish tasks for the benefit of the agency.

4. Accordingly, it is recommended that the Presidential Directive be recast in keeping with the attached proposal. It will be noted that, according to the new approach, the Department of State will not need to know why the name is on the list, but will be compelled to make specific inquiry of the interested department when an application for a passport is received from any person on the list.

5. Discussion with the Passport Division of the Department of State indicates that if such "lists" are to be sent to the Department of State, much time can be saved and a greater degree of efficiency achieved by prior consultation with the Passport Division to ascertain the format that would control the submittal of any such lists.

6. There is also a serious question as to whether the proposed Directive should be limited to certain departments and agencies of government. For example, the Department of Labor has a great deal to

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do with international labor problems and has constant contact with other departments and international organizations in combatting Communist activity. The Department of Labor is not on the proposed list. Also, many top officials in various segments of the Executive Office of the President are security cleared for Top Secret information and even higher, but the Executive Office is not on the list in the Presidential Directive. These two examples are merely indications supporting our conviction that the Directive would be more practicable if it were issued to the Executive Departments as a whole rather than to certain agencies thereof.



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